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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/810,203

03/26/2004

Ho Yong Kang

2013P160

8669

8791

7590

12/05/2007

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EXAMINER

KIM, DAVID S

ART UNIT

PAPER NUMBER

2613

MAIL DATE

DELIVERY MODE

12/05/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Advisory Action Before the Filing of an Appeal Brief	Application No.	Applicant(s)	
	10/810,203	KANG ET AL.	
	Examiner	Art Unit	
	David S. Kim	2613	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 19 November 2007 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☒ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☒ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: See Continuation Sheet. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: _____.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____.
13. ☒ Other: See Continuation Sheet.


KENNETH VANDERPUYE
SUPERVISORY PATENT EXAMINER

Continuation of 3. NOTE:

The Applicant's proposed amendment introduces limitations absent from the previous version of the claims. In doing so, the proposed amendment raises new issues related to a change in the scope of the claims. A proper and sufficient response to these new issues would require further consideration and/or search.

For example, at least one newly introduced limitation absent from the previous version of the claims is:

(in independent claim 1)

- wherein intrinsic offsets and offsets inherited from a signal output from the differential amplifier are canceled if DC gain from the error amplifier is greater than a DC gain of the limiting amplifier.

Continuation of 11. does NOT place the application in condition for allowance because:

Applicant's arguments have been fully considered, but they are not persuasive. Applicant presents three salient points.

Regarding the first point, Applicant states:

"Ono discloses a DC cancellation circuit that cancels a DC offset voltage occurring between a pair of complimentary differential output signals output from a differential amplification circuit. Referring to Fig. 1 of Ono, the I-V is double-ended, while the output of the I-V 42 is single-ended in Fig. 4 of Applicant's claimed invention" (REMARKS, p. 6-7, bridging paragraph).

Examiner respectfully notes that the standing rejection relies on Fig. 41 of Ono, not Fig. 1. The output of the I-V component in Fig. 41 of Ono is single-ended. Accordingly, this point is not persuasive.

Regarding the second point, Applicant states:

"Ide discloses a signal amplifier circuit that operates to reduce distortion of a pulse width caused that is due to input offset when a pulsed signal is reproduced. Referring to Fig. 1 of Ide, the output of the amplifier 3 is single-ended, while the output of amplifier 432 is double-ended, namely single-to-doubled in Fig. 5 of Applicant's claimed invention" (REMARKS, p. 7, 1st full paragraph).

Examiner respectfully notes that the standing rejection relies on Fig. 30 of Ide, not Fig. 1. The outputs of amplifiers in Fig. 30 of Ide are double-ended. Fig. 30 even includes a configuration of a single input to a double output. Accordingly, this point is not persuasive.

Regarding the third point, Applicant states:

"Referring to Fig. 2 in Hatakeyama, block OC(0) operates like a gain controller since the outputs of PRE are fed back to the current sources, while S2D converter 43 feeds forward the output of the preamplifier, namely I-V 42. Further, Hatakeyama concerns arranging time constants between AOC blocks in an optical receiver so that the AOC works smoothly. Distinguishable, Applicant's claimed invention concerns a burst-mode receiver, without mention of a time constant. Hatakeyama at col. 5, line 55 to col. 6, line 17 discloses information regarding the time constant in the AOC block. Even though the idea of feedback to cancel offset is similar, the details are not described. This idea was proposed a long time ago, and the explanation is merely for understanding of the total circuit. Even though Hatakeyama mentions an ATC using top and bottom hold circuits, the topologies are quite distinguishable. Applicant's topology using S2D and consecutive AOC to solve the burst-mode receiver requirements is not taught, disclosed or suggested by neither Ono nor Hatakeyama" (REMARKS, p. 8, middle paragraph).

Examiner respectfully notes that the standing rejection relies on Fig. 7 of Hatakeyama, not Fig. 2. Moreover, the actual claim language does not exclude time constants. Accordingly, this point is not persuasive.

Summarily, Applicant's arguments are not persuasive. Accordingly, Examiner respectfully maintains the standing rejections.

Continuation of 13. Other:

Drawings

Applicant's response to the objections to the drawings in the previous Office Action (mailed on 28 August 2007) is noted and appreciated. Applicant responded by stating:

"It is asserted in the Office Action that Figures 6-7 include connections that are not supported. Applicant respectfully disagrees.

Applicant notes that on page 6, lines 10-15 of the specification it is asserted that the 'peak value sensor senses the maximum and/or minimum levels from the two outputs.... The error amplifier amplifies a difference between the detected maximum and minimum levels' Therefore, the connections between the peak value sensor and the error amplifier can be sufficiently derived from the foregoing. Approval is respectfully requested" (REMARKS, p. 5).

Examiner respectfully notes that this portion of the specification does not actually define the *number* of connections between the peak value sensor and the error amplifier. Thus, Applicant's response is not persuasive. Accordingly, Examiner respectfully maintains the previous objections.